REMARKS

Claim 75 is hereby amended. Claims 79-89 are canceled.

I. Claim Objections

Claims 75-78, 88, and 89 were objected to under 37 CFR 1.75. The examiner points out claim 75 recites the limitation "said storage manager" in line 12 where there insufficient antecedent basis for this limitation in the claim. The examiner suggested using "said storage managing unit". Amended claim 75 recites "storage managing unit in accordance with the examiner's suggestion. Claims 88 and 89 are canceled.

Applicant respectfully submits the claim amendments and comments above fully address the examiner's claim objections and hereby requests the claim objections be withdrawn.

II. Claims Rejections - 35 USC § 103

Claims 75 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Ottesen et al. (US005930493A) in view of Jain et al. (US006360234B2). Claim 75 has been amended to clarify applicant's invention. Claim 75 now recites, in relevant portion: "...a converter including an input for receiving unspecified media content, said converter providing..." Support for this feature of applicant's amended claim 75 is found in applicant's specification, for example on page 15, lines 10 -20, as reproduced below:

Capture server 100 is an apparatus for receiving and gathering a plurality of media sources for archiving and subsequent delivery to client users. Capture server 100 is capable of receiving numerous digital or analog media signals from a variety of media sources, including transmission through traditional broadcast, coaxial cable, the Internet, personal and public camera systems and the like, and converting these media signals into addressable blocks of media content. Furthermore,

Further support for this feature of applicant's claim 75 can be found on page 16, lines 1-6.

Media sources 105(a) through (e) are a plurality of media sources transmitting media content to the system via capture server 100. The media may be in analog form, for example, as produced by television or radio broadcast, cable television or camera signal; or digital format, such as transmitted by particular Internet applications.

Applicant's claim 75 is further amended to recite, in relevant portion:

"...a translator configured to relate said storage address to said media content identifier, said transformer thereby enabling random retrieval of stored media content in response to receiving a description of media content to be retrieved." Support for this feature of applicant's amended claim is found as follows.

(*See specification page 36 lines 7 – 10. " The addressable content media blocks...permit later retrieval, beginning randomly at any block, by client users.", and see also specification, page 24, lines 13-17. "It is important to note that each of the media content blocks can be delivered to a viewer, which can reproduce the entire block of media content without reference to any other media content block.." Also see specification page 5. lines 8-10 describing problems of the prior art as follows: "Second the viewer is not afforded random access to portions of the content element before a complete download has taken place." Also see specification, page 24, lines 17-19. "Accordingly, the media content blocks do not necessarily have to be delivered to the viewer in time sequence order.")*

Applicant respectfully submits that neither Ottesen nor Jain, taken alone or in combination discloses or suggests applicant's recited feature: "a converter including an input for receiving unspecified media content ..."

Ottesen provides **on demand** delivery of a **requested program** and "trick play" control over the delivered program content. Ottesen proposes "transmitting **a video program**

(emphasis mine)…as a customized series of compressed digital source program segments to a subscribing customer's set top control system, on an **on-demand pay per view basis**. (emphasis mine),"(col 6 lines 15-27) "The multimedia server customizes the order of **the source program** segments in response to formatting and configuration parameters associated with the configuration and control functions of a subscriber's unique set-top control system" (col. 6 lines 40-45).   "A multimedia program **ordered by a subscribing customer** is preferably transmitted to the customer as a customized, multiplexed bit-stream **representative of the selected multimedia program**…."

Therefore Ottesen cannot be said to disclose a converter including an input for receiving unspecified media content.   The system disclosed by Ottesen operates on specific programs identified ("demanded") to Ottesen's system. Ottesen's system cannot receive unspecified content and then allow random retrieval of stored content.

Jain also lacks disclosure of a converter including an input for receiving unspecified media content. Jain describes a "Video Cataloger System with Synchronized Encoders".   Jain addresses the problem of video cataloging in the context of asset management. (See Jain, Background of the Invention.) Jain proposes a cataloging process that enables the "transformation of an opaque video tape or file **with little more than a label of file name to describe it (emphasis mine)**, into a highly leveragable asset…" (Col 1, lines 45-55). Therefore, Jain starts with assumption that each video tape or file to be cataloged represents a specified (identified) asset. That is, each asset (video or tape, etc.), must have a known label or a filename, i.e., **an "asset ID" (emphasis mine)**, to describe it, before Jain's cataloging process can work to transform that asset into a "highly leveragable asset". Therefore the system of Jain cannot work with unspecified media content.

The office action states it would have been obvious to one of ordinary skill in the art to:
   a) modify the system disclosed by Ottesen to have the media content identifier comprise a description of content of said at least one media block;

b) have the transformer retrieve the stored media content in response to receiving a description of stored media content to be retrieved

…a taught by Jain, in order to provide the user the ability to find the right piece of video instantly and effortlessly.

Errors as to conclusion of Obviousness –proposed modifications.

Ottesen's media content identifier comprises a physical memory location/address for a piece/segment of a specific program. Modification of Ottesen's media content identifier (a physical memory location) to comprise a description of content of a media block (instead of, or in addition to, comprising a physical memory location) would render the system of Ottesen inoperative. This is because Ottesen's system relies solely on the physical memory location comprising Ottesen's media content identifier to retrieve a desired piece of a stored program.

If the examiner's suggested modification were made, a physical memory location recognizable to Ottesen's system for the desired stored program segment would either be missing (in the case of replacement of the address with a description of content – a description of content is not an address) or corrupted (in the case of addition of bits representing the description of content and not representing an address). Therefore Ottesen's "media content identifier" would be rendered unsuitable for its intended purpose, or for any purpose at all in Ottesen's system. One of ordinary skill in the art would not expect such a modification to produce any useful result.

The examiner further suggests it would have been obvious to **"have"** Ottesen's transformer retrieve the stored media content in response to receiving a description of stored media content to be retrieved. However, neither Ottesen nor Jain (nor the examiner) describe how to **"have"** Ottesen's transformer retrieve media content in response to receiving a description of stored media content to be retrieved. Absence of this teaching is especially significant in light of the fact that Ottesen's only media content retrieval mechanism, the media content identifier, would have been rendered inoperative altogether by the examiner's first suggested modification.

One of ordinary skill in the art would not be expected to understand how to "have" the transformer of Ottesen retrieve the stored media content in response to

receiving a description of stored media content to be retrieved, based on the disclosure of Jain regarding an asset ID. Nor would one of ordinary skill in the art have any motivation to combine a teaching related to an asset ID in one cataloguing system to a memory address identifier in a different cataloguing system.

<u>Errors as to conclusion of obviousness - Motivation</u>

The examiner states the motivation to combine Ottesen and Jain would be "in order to provide the user the ability to find **the right** (emphasis mine) piece of video instantly and effortlessly." Applicant respectfully submits the term "right piece of video" is too subjective and indefinite to be understood. Without further clarification by the examiner, e.g., some criteria by which **"right"** is judged in this context, it is not clear to applicant what the examiner asserts to be the motivation of one of ordinary skill in the art to combine Ottesen and Jain.

For example, the "right" piece of video could mean the piece of video stored at a particular given memory location. In that case the system of Ottesen already can find the right piece of video by using Ottesen's media content identifier (comprising a physical address). In any case, modifying Ottesen's media content identifier to include an "asset ID" of Jain would not make identification of the "right piece of video" faster or easier. Instead it would make such identification impossible.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

Respectfully submitted,

/christine johnson/

By: Christine Johnson

Attorney for Applicant

Reg. No. 38,507
Phone: 215-584-1159

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